IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION No.11158 of 2005

Between:

Ogili Seshamma, S/o. Mastanaiah,
Hindu, Aged about 46 years, Occ: Cultivation,
R/o. Narikellapalli, Village, Muthukur Mandal,
Nellore District.

..... PETITIONER

AND

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional Officer, Nellore, Nellore District.
3 The Mandal Revenue Officer, Muthukur Mandal,
Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, more particularly one in the nature writ of Mandamus declaring the inaction on the part of the 3rd respondent in dispossessing the petitioner from the lands in Sy.No. 105/2-1 for an extent Ac.0.70 cents situated at Narikellapalli, Village Muthukur Mandal, Nellore District without issuing any notice and without following due process of law amounts erroneous arbitrary and violative of Article 14,19,21 and 300-(A) of the Constitution of India and violative of principles of natural justice and consequently direct the respondents not to dispossess the petitioners from the lands in bearing in Sy.No. 105/2-1 for an extent Ac.0.70 cents situated at Narikellapalli, Village Muthukur Mandal, Nellore District and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : Mr.T.C.KRISHNAN
Counsel for the Respondents : G.P. FOR REVENUE

The Court at the admission stage made the following :

ORAL ORDER:

The petitioner apprehends dispossession from an extent of Ac.0-70 cents of agricultural land in Survey No.105/2-1 in Narikellapalli village, Muthukur Mandal, Nellore district, which is in her occupation since 22-01-2005 under a lease. According to the petitioner, the third respondent is interested in dispossessing her for some unknown or at any rate unstated reasons. Hence, the writ petition.

Learned Government Pleader for Revenue submits that the respondents do not intend to and cannot in law dispossess the petitioner from the land, if she is in long occupation of the same, without following the due process of law.

In the light of the aforesaid submission made on behalf of respondents, the writ petition is disposed of recording the undertaking on behalf of respondents that they would not dispossess the petitioner except in accordance with the due process of law.

10-05-2005

bsc

ASST. REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional Officer, Nellore, Nellore District.
3 The Mandal Revenue Officer, Muthukur Mandal,
Nellore District.

4. 2 CCs to Govt. Pleader for Revenue, High Court buildings,

Hyderabad (OUT)

5 2 CD copies

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